

REMARKS

Reconsideration of the above identified application in view of the preceding amendments and following remarks is respectfully requested.

Claims 34-79, 83-88 and 91-111 are pending in this application. By this Amendment, Applicants have cancelled Claims 80-82, 89 and 90 without prejudice and amended Claims 34 and 68. New Claims 110 and 111 have been added by this amendment. The claim amendments were made to more precisely define the invention in accordance with 35 U.S.C. 112, paragraph 2. These amendments have not been necessitated by the need to distinguish the present invention from any prior art. It is respectfully submitted that no new matter has been introduced by these amendments, as support therefor is found throughout the specification and drawings. In particular, support is found, among other places, at page 21 of the subject application for the amendments to Claim 34, at page 20 for Claim 110 and page 17 for Claim 111. Applicant's representative would like to thank Examiner Hamilton for the courtesies extended during our recent telephone conversations.

In the outstanding Office Action, Claims 34-44, 46-51, 54, 57-62, 64-78, 80-85, 88, 91-96 and 98-109 were rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,003,019 to Eaton. The Examiner's grounds for rejection are herewith traversed, and reconsideration is respectfully requested.

Eaton discloses an integrated financial services system, which is depicted in Figure 2. The Eaton system provides services to a customer 80 via a plurality of channels 82-87. Each channel 82-87 is hardware specific to provide access to the organization that sponsors the Eaton system. For example, the customer may use a

telephone 92, an ATM 93, a branch office 94 and the like (items 95-97 and 99) to access the Eaton system. Eaton recognized that prior art information generated during transactions was only accessible by channels having similarly configured hardware channels. To overcome this obstacle and allow various hardware configurations to be able to collect data in a common form, the Eaton system has an integrated channel manager (ICM) 100. As shown in Figure 2 and at column 3, lines 18-21, the ICM 100 is not part of the hardware that the customer 80 interacts with and the customer hardware 92-97, 99 remains unchanged. Rather, the ICM 100 is centrally located with the data storage in the Eaton system and acts as a translator for each channel 82-87.

In contrast, amended Claim 34 recites a method for providing transaction services including the steps of operating a computer based transaction machine controlled by at least one software application to effect a transaction service for an end user, interacting said software application with a functional interface of a middleware software layer on the computer based transaction machine which extends the functionality of a computer operating system by providing the functional interface for the computer operating system to be written to, the computer operating system providing control functions of said computer based transaction machine and the functional interface providing an ability to co-operate with a dissimilar network, wherein said computer based transaction machine is coupled to at least one transaction device and said functional interface provides functionality adapted to the particular hardware of said transaction machine and said transaction device by interrogating the computer based transaction machine to determine capability of the at least one transaction device and dynamically configuring the transaction services based on the capability. Consequently, the middleware is within the device that

interacts with the customer such as, without limitation, an ATM. Further, the invention of Claim 34 interrogates the computer based transaction machine and configures the services accordingly to adapt. The Eaton system does not disclose or suggest such a structural configuration that adds a functional interface to the transaction machine let alone interrogates and configures it. The ICM 100 of the Eaton system is simply not stored on the ATM or similar device and no interrogation and configuring occurs. In short, the claimed method modifies the computer based transaction machine unlike the ICM 100 of the Eaton system which does not modify the ATM or similar device in any way. Accordingly for at least these reasons, Claim 34 and each of the claims depending therefrom distinguish the subject invention from Eaton. Therefore, withdrawal of the rejection is respectfully requested.

With respect to Claim 68, Eaton discloses that the ICM 100 has seven layers L1-L7. Each layer controls different aspects of the operation. For example, layer L6 provides network services and layer L7 is the base platform or operating system and associated hardware. Based on this structure, it is evident that the ICM 100 can be programmed. However, Eaton does not disclose, teach or suggest, in any way, many of the details attributed to it in the Office Action. In particular, copying to disk during idle times is not present, either explicitly or inherently, at col. 4, line 40 to col. 5, line 10 of Eaton or anywhere else.

In contrast, Claim 68, as amended, recites a computer based transaction machine including, *inter alia*, an operating system and middleware installed on the transaction machine to communicate with, and control said transaction device and a web browser, wherein said middleware software further comprising an application programming

interface adapted to provide communication and control services with said transaction device to said software application, all errors and transgressions are asserted by the middleware software, the middleware software writes trace data to memory and then copies the trace data to disk only when the transaction machine is idle, the middleware software allows or disallows access to particular web sites according to a rule database and the middleware software is adapted to customize time-out of the display of individual internet web sites. Although Eaton does disclose a separate ICM 100 which could be programmed to write to disk when idle, Eaton does not disclose or suggest, either explicitly or inherently, such a feature. Lacking such a teaching, the application of Eaton is improper with respect to Claim 68. Further, and similar to Claim 34, Eaton does not disclose middleware installed on the transaction machine. Accordingly, for at least these reasons, Claim 68 and each of the claims depending therefrom distinguish over Eaton and withdrawal of the rejection is respectfully requested.

Turning to Claim 106, as noted above, Eaton does not disclose middleware installed on the transaction machine. In contrast, Claim 106 recites a method for selling tickets including the steps of: operating, by a first organization, a computer based automated teller machine of a first network, the computer based automated teller machine having a data communication interface, a display device, an input device, and at least one transaction device adapted for user identification; executing a software application on said computer based automated teller machine, said software application being adapted to issue tickets for events or services provided by a second organization through a second network, wherein the second network is dissimilar to the first network and the software application allows cooperation directly therebetween; and, automatically charging a user account for said ticket utilizing facilities

provided by said automated teller machine. Thus, not only does Eaton not put a software application on the transaction machine, Eaton does not allow dissimilar networks to cooperate directly. Accordingly, for at least these reasons, Claim 106 and the claim depending therefrom distinguish over Eaton and withdrawal of the rejection is respectfully requested.

In the Office Action, Claims 45, 63, 79 and 97 were rejected under 35 U.S.C. § 103 (a) over Eaton in view of U.S. Patent No. 5,903,881 to Schraeder, and Claims 52, 53, 55, 56, 86, 87, 89 and 90 were rejected under 35 U.S.C. § 103 (a) over Eaton in view of U.S. Patent No. 6,006,252 to Wolfe.

There is nothing in either of Schraeder or Wolfe that discloses or suggests, either alone or in combination, in whole or in part, the inventions defined by the claims of the subject application. In particular, there is nothing in Schraeder or Wolfe which discloses or suggests, a putting middleware as claimed on the transaction device. Thus, setting aside the lack of motivation to combine for simplicity, the deficiencies noted above are not overcome by the proposed combinations. Therefore, all of the claims of the subject application are not rendered obvious by the combinations of references cited by the Examiner, and withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested.

Applicant has added new Claims 110 and 111 which are directed to additional patentable aspects of the subject invention. Applicants respectfully submit that new Claims 110 and 111 patentably distinguish over the art of record, and allowance of these claims is respectfully requested.

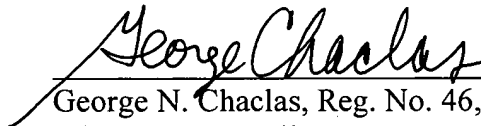
Any additional fees or overpayments due as a result of filing the present

paper may be applied to Deposit Account No. 04-1105. It is respectfully submitted that all of the claims now remaining in this application are in condition for allowance, and such action is earnestly solicited.

If after reviewing this amendment, the Examiner believes that a telephone interview would facilitate the resolution of any remaining matters the undersigned attorney may be contacted at the number set forth herein below.

Respectfully submitted,

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